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Attorneys for Third-Party Plaintiff and
Third-Party Defendant,
DANNY'S CONSTRUCTION COMPANY, LLC

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

KIEWIT INFRASTRUCTURE WEST CO.,
for itself and its subrogated Insurers,

Plaintiff,

v.

SAMSON ROPE TECHNOLOGIES, INC.;
WESSPUR TREE & EQUIPMENT, INC.; and
DOES 1 to 50,

Defendants.

AND RELATED THIRD-PARTY ACTIONS.

Case No. 2:20-cv-00527-TLN-AC

Judge: Hon. Troy L. Nunley
Dept: 2

**REQUEST FOR ORDER DISMISSING
THIRD-PARTY COMPLAINT OF
DANNY'S CONSTRUCTION
COMPANY, LLC'S AGAINST SAMSON
ROPE TECHNOLOGIES, INC. AND
WESSPUR TREE & EQUIPMENT, INC
PURSUANT TO SETTLEMENT**

[Proposed] ORDER

[Fed. R. Civ. P. 41(a)(2)]

Complaint Filed: November 14, 2019

Third-Party Defendant and Third-Party Plaintiff Danny's Construction Company, LLC
("Danny's") respectfully requests, pursuant to Rule 41(a)(2) of the Federal Rules of Civil
Procedure, that the Court enter an order dismissing Danny's Third-Party complaint against Third-
Party Defendants Samson Rope Technologies, Inc. ("Samson") and WesSpur Tree & Equipment,
Inc. ("WesSpur") , with prejudice and with each party to bear own costs, fees, and expenses.

All parties to this action have entered into a global settlement of this matter, and Danny's
now wishes to dismiss its third-party complaint against Samson and WesSpur in accordance
therewith.

1 Danny's respectfully requests that the Court enter an order accordingly without hearing and
2 in the form of the order below as provided for by Local Rule 143.

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4 Dated: June 4, 2021

BREMER WHYTE BROWN & O'MEARA LLP

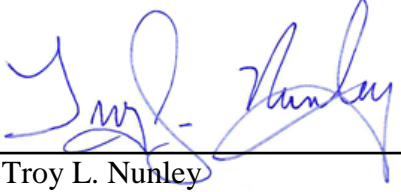
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6 By: /s/ Stephen C. Dreher

7 Raymond Meyer Jr.
8 Stephen C. Dreher
9 Attorneys for Third-Party Plaintiff and
10 Third-Party Defendant,
11 DANNY'S CONSTRUCTION
12 COMPANY, LLC

13 **ORDER**

14 Pursuant to the foregoing request, IT IS SO ORDERED. Danny's Construction Company,
15 LLC's third-party complaint against Samson Rope Technologies, Inc. and WesSpur Tree & Equipment,
16 Inc. is hereby dismissed with prejudice, with each party to bear own costs, fees, and expenses.

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18 DATED: June 4, 2021

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20 Troy L. Nunley
21 United States District Judge
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